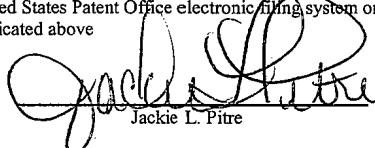


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/542,983
 Filed: July 21, 2005
 Inventor(s):
 Horst G. Zerbe

Title: ORAL DOSAGE
 FORMULATION

§ Examiner: Ahmed, H.
 § Art Unit: 1618
 § Atty. Dkt. No: 6165-10702
 § Confirmation No: 7824

CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. §1.8	
DATE OF DEPOSIT: <i>June 23, 2009</i>	
I hereby certify that this correspondence is being deposited with the United States Patent Office electronic filing system on the date indicated above	
 Jackie L. Pitre	

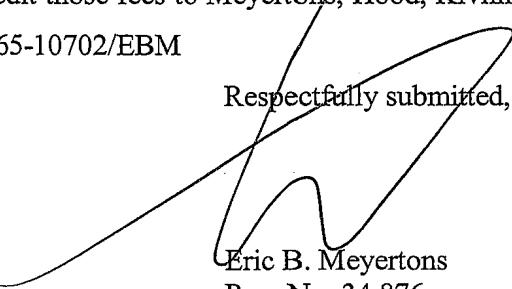
**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

ATTN: BOX AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 23, 2008, finally rejecting the pending claims. A fee authorization (via EFS-Web) including the fee for filing this Notice of Appeal and the extension of time fee is enclosed. If any fees are inadvertently omitted or if any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/6165-10702/EBM

Respectfully submitted,



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